



1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 07 2002

TECH CENTER 1600/2900

In re Applicant:

GRESSEL

Serial No.: 09/889,737

Filed: July 20, 2001

For: Transgenic Plants

Examiner: David T. Fox

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Group Art Unit: 1638

Attorney

Docket: 01/22288

10/8/02

ELECTION

Director of the United States Patent and Trademark Office
US Patent and Trademark Office
Washington, D.C. 20231

Sir:

This is in response to the United States Patent and Trademark Office
Restriction Action mailed September 16, 2002, which response is being made on or
before October 16, 2002.

Applicants hereby elect Group IV, namely Claims 5 – 11, drawn to a
process for preventing transgene introgression into weeds comprising linking the
first transgene to a second transgene deleterious to the weed.

Applicants reserve the right to file, at a later date, additional divisional
applications claiming priority from the present application which are directed to any
one or more of the non-elected Groups.

Respectfully submitted,

Sol Sheinbein

Registration No. 25,457

Attorney for Applicant

Date: October 1, 2002